Low-Level Concerns

Policy

Overley Hall School

Approved by:	Senior Leadership Team, Support and Support Board
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Responsible individual	Bev Doran (Headteacher/ DSL)

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Rationale

This policy should be read in conjunction with Overley Hall School's Child Protection and Safeguarding Policy and Procedures, Wellbeing Low-level Procedure, Staff Code of Conduct, Managing Allegations Policy, Curriculum Policy, Positive Behaviour Support Policy and Whistleblowing Policy which enables staff and other stakeholders to share their concerns.

In line with the design of our curriculum, which promotes 'pupil voice' and 'liberty', we endorse a strong safeguarding ethos and culture that promotes professional curiosity at all times. We expect concerns, no matter how small, to be shared with the Designated Safeguarding Lead (DSL), Bev Doran (Head Teacher) or one of the Deputy Designated Safeguarding Leads (Deputy DSLs) Dee Marshall (Assistant Head), Mandy Peever (Pastoral Coordinator & Induction manager), Rachel Hawley (Specialist Speech and Language Therapist, Assistant Head, and Deputy DSL/CSE Lead) and Lorna Deakin (SENCO).

Concerns may be about their own behaviour or that of another member of staff, about our residential learners, our day-only learners or those related or involved with our learners. This policy enables all staff to share any concerns, no matter how small, with the DSL, Bev Doran or in her absence, one of the Deputy DSLs listed above, who will, at the earliest opportunity, liaise with the DSL. If the concern is about the Head Teacher then the referral is to be made to the Proprietor, Mrs Anita Brown or in her absence the Chair of Support and Scrutiny Board with responsibility for safeguarding, Liz Hyner.

Learners at Overley Hall display a range of complex needs, including severe to moderate learning difficulties, autism and trauma, leaving them extremely vulnerable to abuse. Associated difficulties can lead to a lack of self-esteem, making learning new concepts and building relationships so much harder. Challenges often lead to disengagement and low interest, which further compounds their vulnerability to abuse. Problems are exacerbated

by difficulties with speech and language and delayed communication, making it extremely difficult to express their concerns, worries and anxieties. Barriers to developing communication and emotional regulation are explored and targeted to minimise their impact.

The **Curriculum** design at Overley Hall School has been written to maximise 'pupil voice' and 'liberty' as a result of the complex needs of learners, which amplify their vulnerability to abuse. Our education model ensures barriers faced by our learners are targeted and their impact minimised, better enabling our learners to recognise and communicate concerns and to build safe, trusting relationships with others. We strive to act on lessons learnt and regularly update our policies and procedures to maximise their impact. We recognise the importance of identifying problems early and we act in a way that not only addresses issues at the surface level but also look deeper, considering our multi-systemic approaches, including the curriculum on offer to our learners, our therapy offer and approach/strategy/intervention to ensure lessons learnt are truly embedded.

Guidance

This Low-level Concerns Policy, is based upon the statutory guidance in Section 2 'Concerns that do not meet the harm threshold' in Part 4 of 'Keeping Children Safe in Education 2026', Concerns; the expectations within 'Guidance for Safer Working Practice for Adults who Work with Children and Young People in Education Settings (2022)' and Working Together to Safeguard Children 2026'. These documents are referred to throughout.

Behaviours not consistent with the standards and values of Overley Hall School that do not meet the school's expectations specified in our staff code of conduct need to be addressed. Such behaviours can be wide-ranging – from the inadvertent or thoughtless, through to those ultimately intended to enable abuse. Where a concern about an individual's behaviour meets the threshold of an allegation (see below), clear guidance exists to support the member of staff in responding to these concerns.

It is important to recognise that, in practice, the words ‘allegation’ and ‘concern’ can mean different things to different people. For example, some individuals may shy away from the word ‘allegation’ and express it as a ‘concern’ instead. The crucial point is that whatever the language used, the behaviour referred to may, on the one hand, be capable of meeting the harm threshold and hence be referable, or, on the other hand, does not meet the harm threshold and should be treated as a low-level concern.

It must also be outlined that we see any sensitive information as a concern and is reportable (please see below Sensitive Information Form below). These terms are sometimes used interchangeably at Overley Hall School. At Overley Hall we recognise that there is an array of potential concerning issues that can arise which may not be related to staff behaviour, but that may require our focus, to help maintain a safe and nurturing environment and ensure positive outcomes for learners. In our endeavour to promote the highest standards in practice and expectations of all involved stakeholders, always putting well-being first, we ask for any concern, no matter how big or small to be recorded on our ‘Sensitive Information Forms’.

We expect ‘**any and all’** concerns to be reported; we will never expect staff who are not DSL trained to make decisions on whether an issue meets the threshold of harm or not. As a result, we will only use **one** form for staff and stakeholders to record their concerns upon - which we refer to as our ‘Sensitive Information Form’.

What does Overley Hall School recognise as a Low-level Concern?

The term ‘low-level’ concern **does not mean that it is insignificant**, it means that the behaviour towards a learner does not meet the harm threshold.

A low-level concern is any concern – no matter how small, and even if no more than causing a **sense of unease** or a ‘nagging doubt’ – that an adult/or other may have acted in a way that:

- Is inconsistent with the organisation’s staff code of conduct, including inappropriate conduct outside of work, and

- Does not meet the allegation threshold, or is otherwise not serious enough to consider a referral to the LADO – but may merit consultation with and the seeking of advice from the LADO
- Staff do not need to be able to determine in each case whether or not their concern is low-level, or whether or not it is serious enough to consider a referral to the LADO, or if it meets the threshold of an allegation. Once staff have shared what they believe to be a low-level concern, that determination should be made by the DSL or DSL Team and an appropriate response determined in line with policy

A low-level concern is also any concern, no matter how small, and even if no more than causing a sense of unease or a 'nagging doubt' that something is 'just not right'. There may be no allegation attached, but the situation still requires further exploration.

Examples of such behaviour could include:

- Being overly friendly with learners
- Having favourites
- Taking general photographs of learners on their personal mobile phones
- Humiliating learners

The purpose of this policy

Is to:

- Provide for responsive, sensitive and proportionate handling of concerns when they are raised
- Identify concerning, problematic or inappropriate behaviour – including any patterns/trends which can be fully addressed before episodes intensify, possibly moving towards safeguarding thresholds requiring external involvement
- Promote a transparent safeguarding ethos
- Promote a listening culture where 'pupil voice' is valued, understood, respected and responded to, to achieve the best outcomes for learners
- Provide a solution-focused approach to learning from lessons learnt but offers high expectations of all

- Help identify any weaknesses in the organisation's safeguarding systems and procedures to ensure we provide a safe and supportive environment which secures the well-being and very best outcomes for learners in our care, for our staff and families
- Provide a clear description of what Overley Hall classes as a 'low-level' concern
- Provide a structured, clear systematic procedure for responding to 'low-level' concerns
- Empower staff to share any low-level concerns with the DSLs
- Address unprofessional behaviour, and help individuals correct such behaviour at an early stage, supporting staff to recognise the importance of professional boundaries and when to report – including any patterns – that may need to be consulted upon with, or referred to the LADO if the behaviour is potentially close to reaching the threshold of harm
- Help get the support needed for learners and others to prevent further escalation, to reduce anxiety and to offer a safe and nurturing environment.
- To reduce the risk of unprofessional behaviour.

It is recognised that the vast majority of adults who work with children act professionally and aim to provide a safe and supportive environment, which secures the well-being and very best outcomes for children in their care. Achieving these aims is not always straightforward, as much relies on child and staff interactions where tensions and misunderstandings can occur. This document aims to reduce the risk of these tensions and misunderstandings.

Overley Hall School will ensure that staff are clear about what appropriate behaviour is and will ensure staff are confident in distinguishing expected and appropriate behaviour from concerning, problematic or inappropriate behaviour in themselves and others.

Allegations that may meet the harm threshold

The term 'allegation of harm' means that it is alleged that a person who works with children meets the harm threshold as specified below and has:

- Behaved in a way that has harmed a child or may have harmed a child; and/or
- Possibly committed a criminal offence against or related to a child; and/or

- Behaved towards a child or children in a way that indicates that they may pose a risk of harm to children; and/or
- Behaved or may have behaved in a way that indicates they may not be suitable to work with children, this includes behaviour taking place both inside and outside of school.

Staff should follow the Child Protection and Safeguarding Policy and ensure that all allegations are reported to the DSL – Bev Doran or in her absence, Deputies DSLs Dee Marshall, Mandy Peever, Rachel Hawley or Lorna Deakin

We recognise that the 'alleged' person may not be a member of staff but another stakeholder for example, a family member, a visiting professional or another learner. The above applies to anybody whom the allegation is made against.

If the DSL is in any doubt as to whether a concern meets the harm threshold, we will consult our local authority designated officer (LADO).

The DSL will deal with any allegation of abuse quickly, in a fair and consistent way that provides effective child protection while also supporting the individual who is the subject of the allegation.

Concerns that do not meet the harm threshold: Low-level Concerns

KCSIE (2026) states that, as part of their whole school approach to safeguarding, schools should ensure that they promote an open and transparent culture in which all concerns about all adults working in or on behalf of the school (including supply teachers, volunteers and contractors) are dealt with promptly and appropriately.

A culture of vigilance and staff training on Low-level Concerns

Overley Hall School has a culture of openness and trust. Our ethos, curriculum design and systems all developed to embed safeguarding principles and enhance pupil 'voice' and the liberty of our learners and stakeholders. Staff and involved stakeholders, such as parents, can share any concerns about the conduct of colleagues and staff or incidents and be assured that these will be received and handled in a sensitive manner.

If we educate adults to identify concerning, problematic or inappropriate behaviour, rather than think they can recognise dangerous people, they can be prepared to act when they observe behaviour that violates the code of conduct. They can draw attention to comments, harassment, emotional and physical boundary violations, and other signs that may precede child sexual abuse – what may be considered in the broadest sense to be (part of a conscious, or an unwitting) grooming process.

Leaders are committed to ensuring that the staff code of conduct and its expectations are adhered to. Leaders implement and reinforce these expectations and address any attempt to bypass policy or procedure.

Staff are required to read the Low-level Concerns Policy. This is to ensure staff know their professional duties and boundaries so that they are clear on the standard of behaviour expected of them. These expectations apply to all staff, volunteers, visitors and Support & Scrutiny Board members.

All new staff will receive training on this policy on induction along with a copy of the KCSIE (2026) and the Guidance for Safer Working Practice for Adults who Work with Children and Young People in Education Settings (2022), Working Together to Safeguard Children 2026.

We acknowledge that having a clear DBS simply confirms that an individual has not been discovered to present a risk to children; it is not predictive of potential risk. We must have an ongoing culture of vigilance and maintain a mindset of 'it could happen here'.

Sharing Low-level Concerns

All low-level concerns must be received by the DSL, the Head Teacher Bev Doran. In her absence, concerns should be passed to a Deputy DSL, Dee Marshall, Rachel Hawley, Mandy

Peever or Lorna Deakin. A consultation between DSLs will take place within the same session that the concern was raised, to discuss a plan of action and to consider if the threshold of harm has been reached. Having one recipient of all such concerns allows any potential patterns of concerning, problematic or inappropriate behaviour to be identified, and helps to ensure that no information is potentially lost.

It is important that all concerns, whether low-level or those that meet the threshold of harm, are shared with the DSL or Deputies as soon as reasonably possible and, in any event, before the **end of that session** of becoming aware of the concern.

Whilst staff should share information with the DSL as soon as reasonably possible, it should also be emphasised that it is **never too late** to share a concern of any type including, low-level concern and a delay should never be seen as a barrier to sharing.

Anonymity

If the staff member who raises the concern does not wish to be named, then the DSL will respect that person's wishes as far as possible.

There may be circumstances where the staff member will need to be named (for example, where it is necessary in order to carry out a fair disciplinary process) and, for this reason, **anonymity will never be promised** to members of staff who share concerns of any type, including Low-level concerns. Where possible, we will try to encourage staff to consent to be named, as this will help to create a culture of openness and transparency.

Self-Reporting

Occasionally a member of staff may find themselves in a situation that could be misinterpreted or may appear compromising to others. Equally, a member of staff, for whatever reason, may

have behaved in a manner, which, on reflection, they consider falls below the standard set out in the staff code of conduct.

Self-reporting in these circumstances can be positive for a number of reasons:

- It is self-protective, in that it enables a potentially difficult issue to be addressed at the earliest opportunity;
- it demonstrates awareness of the expected behavioural standards and self-awareness as to the individual's own actions or how they could be perceived
- crucially, it is an important means of maintaining a culture where everyone aspires to the highest standards of conduct and behaviour.

In line with KCSIE (2026), Overley Hall School will ensure that there is an environment where staff are encouraged and feel confident to self-refer.

Sharing and Recording of Low-level Concerns

Staff are expected to share their concern **verbally and in writing** to the DSL by completing **a Sensitive Information Form**, which can be accessed in school reception and can be found in Appendix A.

Where the low-level concern is provided verbally only, the DSL will make an appropriate record of the conversation, immediately following the discussion, using a Sensitive Information Form.

Sound professional judgement will be exercised by the DSL in determining what information needs to be recorded for safeguarding purposes. The name of the individual sharing the concern and their role should be stated, as should the name of the individual about whom the concern is being raised, and their role within the organisation at the time the concern is raised.

The record will include a brief context in which the concern arose and concise details (which are chronological and as precise and accurate as possible) of any such concern and relevant incident(s). The record must be signed, timed and dated.

Responding to a Low-level Concern

Once a low-level concern is received, the DSL will:

- speak to the person who raised the concern (unless it has been raised anonymously)
- speak to any potential witnesses (unless advised not to do so by the LADO or other relevant external agencies)
- speak to the individual about whom the low-level concern has been raised (unless advised not to do so by the LADO or other relevant external agencies)
- Review the information and determine whether the behaviour
    - Is entirely consistent with the staff code of conduct and the law
    - Constitutes a low-level concern
    - Is not serious enough to consider a referral to the LADO but may merit consulting with and seeking advice from the LADO
    - When considered with any other low-level concerns previously raised about the same individual, determine if this could now meet the threshold of an allegation and if it should now be referred to the LADO
    - Meets the threshold of an allegation and should be referred to the LADO;

The DSL will always seek advice from the LADO when they are in any doubt.

Possible Outcomes from a Low-level Concern which relates to staff conduct

If it is determined that the behaviour is entirely consistent with the school's staff code of conduct, policy and the law, the DSL will:

- Update the individual in question and inform them of the decision

- Speak to the person who shared the concern to provide them with feedback about how and why the behaviour is consistent with the organisation's staff code of conduct, policy and the law;
- Consider if the situation may indicate that the staff code of conduct or low-level concerns policy are not clear enough, or if further training is required.
- If the same or a similar low-level concern is subsequently shared about the same individual, and the behaviour in question is also consistent with the staff code of conduct, then an issue may need to be addressed about how the subject of the concern's behaviour is being perceived by others.

If it is determined that the behaviour constitutes a low-level concern, it will be responded to sensitively and proportionately – on the one hand maintaining confidence that such concerns when raised will be handled promptly and effectively whilst, on the other hand, protecting staff from any potential false allegations or misunderstandings.

Any investigation of low-level concern will be carried out discreetly on a need-to-know basis.

Most low-level concerns, by their very nature, are likely to be minor. Some will not give rise to any ongoing concern and, accordingly, will not require any further action. Others may be most appropriately dealt with using management guidance and/or training. In many cases, a low-level concern will simply require a conversation with the individual about whom the concern has been raised. Any such conversation will include being clear with the individual as to why their behaviour is concerning, problematic or inappropriate. It will discuss the change that is required in their behaviour, enquiring what, if any, support they might need to achieve and maintain that, and being clear about the consequences if they fail to reach the required standard or repeat the behaviour in question.

Ongoing and transparent monitoring of the individual's behaviour may be appropriate. An action plan or risk assessment, which is agreed with the individual, and regularly reviewed with them, may also be appropriate; some low-level concerns may also raise issues of misconduct or poor performance. The DSL/ Head Teacher will consider whether this is the

case – by referring to the organisation's disciplinary and/or capability procedure and taking advice from the school's HR service (if necessary) on a named or no-names basis where necessary. Where a low-level concern does not raise misconduct or poor performance issues, it will not be a matter for HR.

Where a low-level concern relates to a person employed by a supply agency or a contractor, that concern will be raised with their employers, so that any potential patterns of inappropriate behaviour can be identified. How an organisation responds to a low-level concern may be different depending on the employment status of the individual who is the subject of the concern - i.e. whether they are an employee, or worker to whom the organisation's disciplinary procedure would apply; or a contractor, Board member, Trustee, Director or volunteer who may be subject to alternative procedures.

Some concerns may trigger the school's disciplinary, grievance or whistleblowing procedures, which should be followed where appropriate. Where low-level concerns are raised which require other internal processes to be followed, it is sometimes difficult to determine how best to investigate the concern and which procedure to follow. The Head Teacher will exercise their professional judgement and, if in any doubt, they will seek advice from other external agencies including the LADO.

If the school's disciplinary procedure is triggered, the school will ensure that the individual has a full opportunity to respond to any factual allegations, which form the basis of a disciplinary case against them

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If it is determined that the behaviour, whilst not sufficiently serious to consider a referral to the LADO nonetheless merits consulting with and seeking advice from the LADO, then action (where necessary) will be taken following the LADO's advice.

Storage of Low-level Concerns

Overley Hall School will retain all records of low-level concerns (including those which are subsequently deemed by the DSL to relate to behaviour which is entirely consistent with the staff code of conduct) in a central Low-Level Concerns Book. These records will be kept confidential and held securely with limited access given to the DSL, Overley Hall's Managing Director and the Proprietor.

Low-level Concerns which are connected to staff conduct will also be logged electronically in a restricted folder only the Headteacher, Managing Director and Proprietor have access to. Where multiple low-level concerns have been shared regarding the same individual, these will be kept in chronological order as a running record in this electronic log.

Referrals made to the LADO will be placed on the staff member's personnel file, whilst also being kept in the central low-level locations, where the behaviour in question:

(i) had not originally been considered serious enough to consider a referral to the LADO but merited consultation with and seeking advice from them;
(ii) is determined to meet the threshold of an allegation when considered with other low-level concerns previously raised about the same individual; or
(iii) in and of itself meets the threshold of an allegation.

Material on the personnel file will be retained in accordance with Part 4 of KCSIE (2026). This requires schools in England to produce a clear and comprehensive summary of all allegations (except those found to have been malicious). Such details including how the allegation was followed up and resolved, and a note of any action taken and decisions reached, to be kept on the confidential personnel file of the staff member, and a copy provided to them.

Records will be:

Kept confidential, held securely and comply with the DPA 2018 and UK GDPR

- Reviewed so that potential patterns of concerning, problematic or inappropriate behaviour can be identified. Where a pattern of such behaviour is identified, we will decide on a course of action, either through our disciplinary procedures or, where a pattern of behaviour moves from a concern to meeting the harms, we will refer it to the designated officer at the local authority
- Retained at least until the individual leaves employment at the school

Reviewing the Low-level Concerns File

The DSL will review the central low-level concerns file periodically to ensure that all such concerns are being dealt with promptly and appropriately, and that any potential patterns of concerning, problematic or inappropriate behaviour are identified. A record of these reviews will be made and stored alongside the file, along with any subsequent actions taken.

The Support and Scrutiny Board will receive relevant data relating to Low-level Concerns and review anonymised samples of low-level concerns at regular intervals, to ensure that these concerns have been responded to promptly and appropriately.

References

We will not include low-level concerns in references unless:

- The concern (or group of concerns) has met the threshold for referral to the designated officer at the local authority and is found to be substantiated; and/or
- The concern (or group of concerns) relates to issues which would ordinarily be included in a reference, such as misconduct or poor performance

Retaining Low-level Concerns

When a staff member leaves and/or takes up new employment, that creates a natural point at which the content of the file may be reviewed to ensure it still has value (either as a safeguarding measure or because of its possible relevance to future claims), and is, therefore, necessary to keep. This is subject to the rights of individuals to object to or seek to erase or correct records about them under data protection law.

KCSIE (2026) prohibits schools from referring to unsubstantiated, malicious or false allegations in references. Only safeguarding allegations that have been substantiated should be included in references. KCSIE (2026) states that: “where a low-level concern (or group of concerns) has met the threshold for referral to the LADO and found to be substantiated, it should be referred to in a reference.

Low-level concerns (or a group of concerns) which have not met the threshold for referral to the LADO which relate only to safeguarding should not be included in references unless they relate to issues which would normally be included in a reference, for example, misconduct or poor performance.

Appendix A - Sensitive Information Form

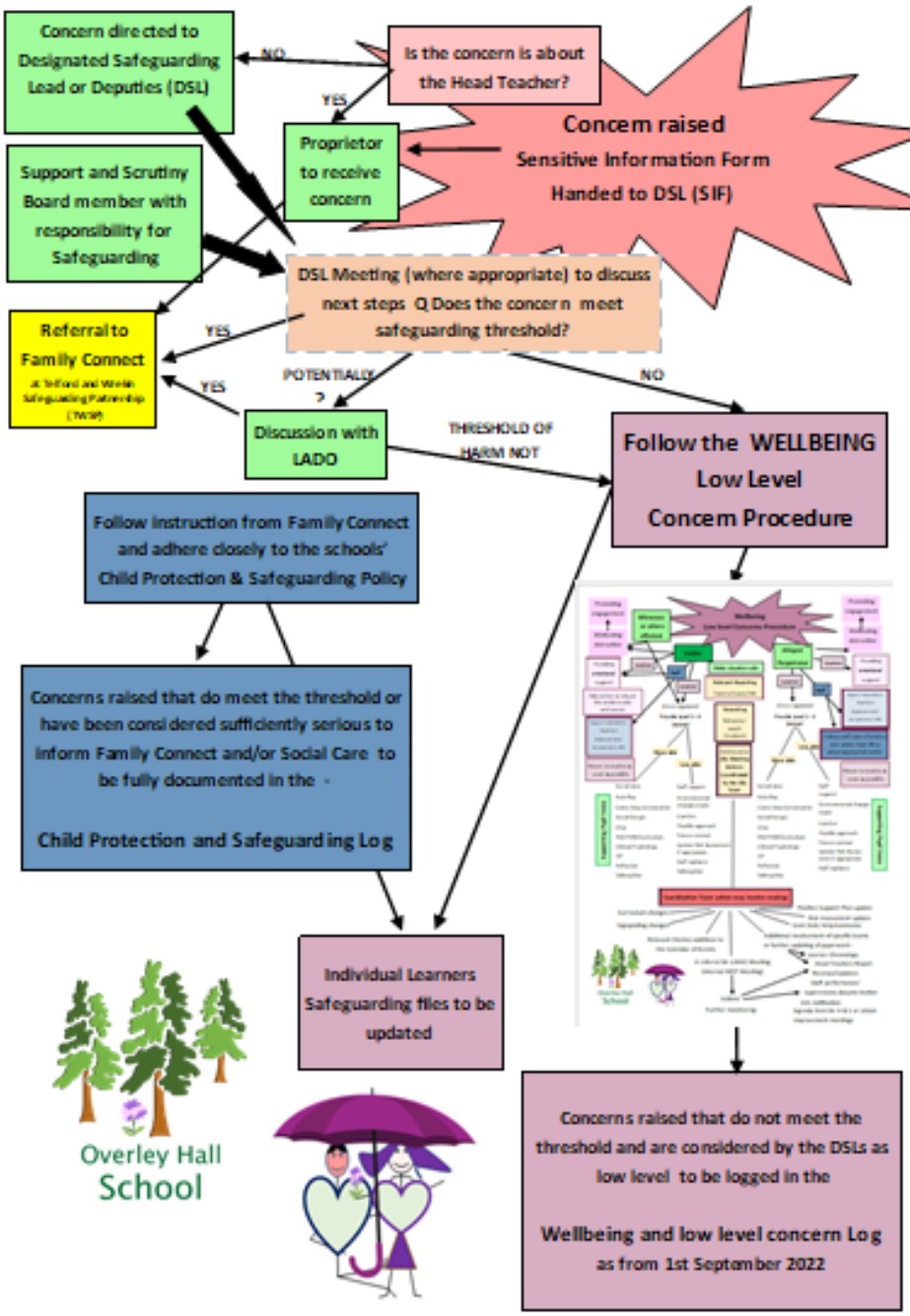
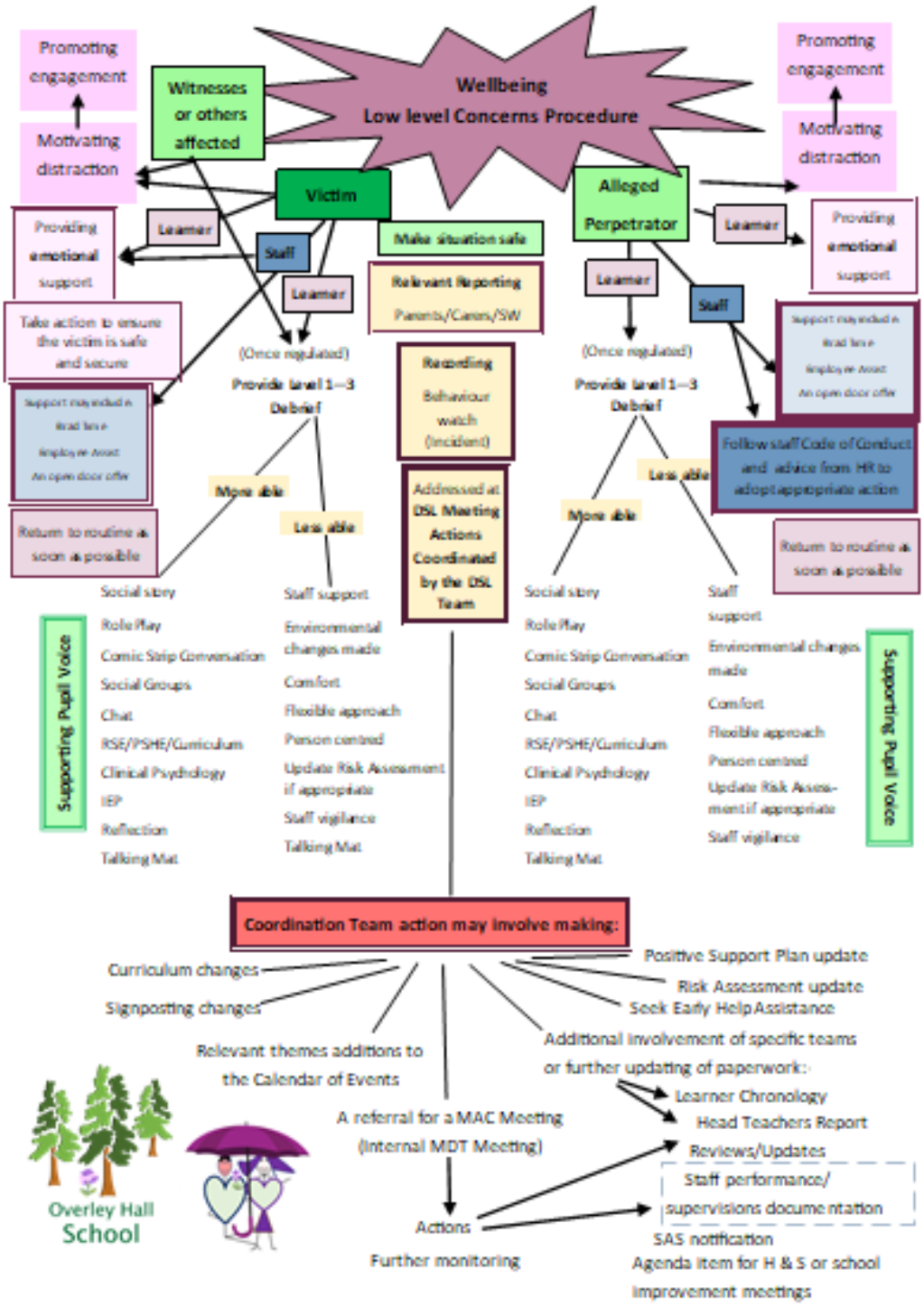
Overley Hall School

Sensitive Information Form

Name of learner:	**Date of birth:**	**Class:**	**Staff name reporting:**
Time:	**Date:**		**Name of DSL receiving concern:**
Circle type of placement: Day only Residential	**Lead DSL Signature:** Date: Time:		
Area of School where observation was made:			
Other adults or children present when observation was made:			
Nature of concern – please describe in as much detail as possible			

Signature: **Please print name:**
Date and time when handed to the Designated Safeguarding Lead: Date: Time:
Response by Designated Safeguarding Lead: **Date:** **Time:**
Information shared with: Date and time:
Outcome:
Signed: Date: Print name:

Appendix B (1)- Safeguarding Procedure for Low-level Concerns



Appendix B (2) Wellbeing Low-level Procedure